

Docket No.: 282550US8X/phm

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Jonathan Richard THORPE

SERIAL NUMBER: 10/720,548

GROUP: 2164

FILED: November 24, 2003

EXAMINER: CAO, PHUONG T.

FOR: INFORMATION STORAGE AND RETRIEVAL

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

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SIR:

Applicant acknowledges with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of October 31, 2008, Applicant respectfully submits the following comments.

In the Examiner's Statement of Reasons for Allowance, pages 3 and 4 of the Notice of Allowance state in part:

However, Laaksonen et al. fails to anticipate or render obvious the recited features of "a user control configured to, in response to a user input, select a plurality of video images and to specify a combination of the plurality of selected video images" and "a search processor configured to form a color histogram for each of the user selected video images, to generate a composite color histogram from the specified combination of each of the color histogram from each of the selected video images, to generate a user defined feature vector from the user selected video images using the composite color histogram, and to search the set of information items by applying the user defined feature vector to the input of the self-organizing map to identify information items which include video images having color histograms corresponding to that of the user selected video images" as recited in independent claim 1 and similarly recited in independent claims 7 and 13.

Although the above comment appears to address Claim 1, it is respectfully noted that independent Claims 7 and 13 do not include all of the elements recited above. For example, not being apparatus claims these claims do not include a reference to "a search processor

configured to form a color histogram for each of the user selected video images, to generate a composite color histogram from the specified combination of each of the color histogram from each of the selected video images, to generate a user defined feature vector from the user selected video images using the composite color histogram, and to search the set of information items by applying the user defined feature vector to the input of the self-organizing map to identify information items which include video images having color histograms corresponding to that of the user selected video images". Accordingly, it is respectfully submitted that the above-quoted statement does not apply to Claim 7 and 13.

The examiner further states on the bottom of page 4 of the Notice of Allowance that

Examiner interpreted "computer readable storage medium" recited in claim 13 as storage device (e.g., removable disk) as disclosed in specification, page 7, lines 2-9.

This statement mischaracterizes Claim 13 to the extent that the Examiner's Statement refers to portions of the specification and suggests that Claim 13 includes additional limitations beyond the language of claim. The specification provides non-limiting embodiments of Applicant's advancement. It is the claims that define the invention, and not Applicant's specification.

Respectfully Submitted,

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